IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.113/2004

Rajendra Kumar Mehra S/o Shri Ghanshyam Das
...plaintiff-appellant
Versus
State of Rajasthan through Collector, Alwar & Another
...defendant-respondents

Date of Order ::: 02.11.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Shri J.P. Goyal, Counsel for appellant
Shri S.N. Gupta, Counsel for respondents
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By the Court:-

Heard learned counsel for the parties.

The plaintiff-appellant filed a suit for permanent injunction in the lower court, which was dismissed. The judgment and decree passed by the lower court has been affirmed by the first appellate court also.

I have considered the submissions of the learned counsel for both the parties in the light of the findings of the courts below and I find that the controversial issues involved in the present case are relating to question of fact in the facts and circumstances of the present case and there is concurrent finding of fact by both the courts below,

which cannot be interfered with by this court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.

//Jaiman//